

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**ORLANDO ZAPATA, on
behalf of himself and all
others similarly situated,
Plaintiff,**

V.

**CANINE FRIENDLY
COALITION, INC. d/b/a
DESERT STAR HOME
HEALTH and ROBERTO
HERRERA, individually,
Defendants.**



EP-17-CV-131-PRM

ORDER OF DISMISSAL

On this day, the Court sua sponte considered the above-captioned cause. On August 13, 2018, Defendants Canine Friendly Coalition, Inc. d/b/a Desert Star Home Health and Roberto Herrera, individually [hereinafter “Defendants”], filed a “Notice of Settlement of Case” (ECF No. 40) [hereinafter “Notice”]. In the Notice, Defendants informed the Court that the parties reached a settlement in this case. After receiving the Notice, the Court issued an “Order Relative to Entry of Judgment or Final Disposition.” August 14, 2018, ECF No. 41. Therein, the Court ordered that counsel for Plaintiff present a document disposing of the case to the Court by September 3, 2018 at 12:00 p.m. *Id.* at 2. Further, the Court

ordered that failure to comply would “result in the dismissal of the case” on September 10, 2018, “unless the time periods set forth herein are extended by Court Order.” *Id.*

As of the date of this Order, the Court has not received any document disposing of the case. Additionally, the Court has not received any request for an extension. Therefore, the Court is of the opinion that the above-captioned cause should be dismissed with prejudice.

Accordingly, **IT IS ORDERED** that the above-captioned cause is **DISMISSED WITH PREJUDICE** with each party to bear its own costs.

IT IS FURTHER ORDERED that all settings in this matter are **VACATED**.

IT IS FURTHER ORDERED that all pending motions in this cause, if any, are **DENIED AS MOOT**.

IT IS FINALLY ORDERED that the Clerk shall **CLOSE** this case.

SIGNED this 10 day of September, 2018.



PHILIP R. MARTINEZ
UNITED STATES DISTRICT JUDGE